

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**DWALIVES DEON CARTER**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:12cv83-CWR-LRA**

**ERIC ZETTERHOLM**

**DEFENDANT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court on Plaintiff's Objection to the Report and Recommendation of United States Magistrate Judge Linda Anderson entered on January 29, 2014 dismissing Plaintiff's Complaint after considering Plaintiff's allegations and receiving Plaintiff's testimony at an omnibus hearing. Having considered said Report and Recommendation, the Plaintiff's objections thereto, applicable statutory and case law, and being otherwise fully advised in the premises, the Court concludes that Plaintiff's objection is without merit and hereby adopts, as its own opinion, the report and recommendation of the magistrate judge.

Based on the foregoing, it is ordered that the report and recommendation of United States Magistrate Judge Linda R. Anderson entered on January 29, 2014 is hereby adopted as the finding of this Court. The Complaint in this matter shall be dismissed with prejudice.

Because this case is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(I), it will be counted as a "strike" pursuant to 28 U.S.C. § 1915(g).

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 14<sup>th</sup> day of March, 2014.

s/Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE